## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

AMPEX CORPORATION,	)
Plaintiff,	)
v.	) Civil Action No. 04-1373-KAJ
EASTMAN KODAK COMPANY and ALTEK CORPORATION,	) ) )
Defendants.	)

## <u>ORDER</u>

The court, having granted defendants' motion for summary judgment of non-infringement (Docket Item ["D.I."] 480),

IT IS HEREBY ORDERED that defendants' motion to exclude the testimony of Carol Scott under Rule 702 (D.I. 277), is DENIED as moot.

UNITED STATES DISTRICT JUDGE

November 1, 2006 Wilmington, Delaware